

Remarks:

Claims 1-18 are pending in the subject application.

Claims 1 and 8 have been amended to clarify the claims.

Independent Claim 1 has been rejected as being anticipated by U.S. Patent No. 5,502,881 ("Gaydou '881"). Independent Claim 8 has been rejected as obvious over Gaydoul '881. Claims 1 and 8 have also been rejected as obvious over Gaydoul '881 in view of U.S. Pat. No. 3,829,019 ("Petsch"). Reconsideration and allowance of the claim is requested in view of the claim amendments and arguments set forth below.

§102(b) Rejections:

The applicant has previously set forth arguments in its Response After Final explaining why the examiner's interpretation of the applicant's prior art '881 patent is improper. The examiner has not fully addressed the applicant's arguments. For example, the restriction on the use of patent drawings applies not only to exact measurements as asserted by the examiner, but also applies to relative dimensions. *See Ex Parte Frenk*, 2009 WL1763974 (Bd. Pat. App. & Interfer.). FIG. 4 is a two dimensional drawing of a three dimensional image. As such, whether a nozzle is inclined left, or right, or into the drawing, or out of the drawing is a relative dimension. Thus, FIG. 4 by itself is not conclusive of the relative dimensions shown. However, when viewed in light of the specification as cited by the applicant, the specification provides three different disclosures that FIG. 4 is an illustration of the nozzles inclined in the radial direction. The examiner has not identified any disclosure in the specification that describes that the

nozzles are disclosed in the circumferential direction. Absent such disclosure, the examiner is not permitted to rely on FIG. 4 alone to support the rejection for the reasons set forth in the Response After Final, which are incorporated herein by reference.

Nevertheless, the applicant has amended the independent claims to recite that all of the nozzles are inclined in the circumferential direction in the forward direction of rotation. Accepting the examiner's interpretation of FIG. 4, the examiner admits that FIG. 4 does not show that all of the nozzles are inclined in the same direction in the forward direction of rotation.

§103(a) Rejections:

The examiner has also rejected the independent claims as obvious over Gaydoul in view of Petsch. Independent Claims 1 and 8 have been amended to recite that all the nozzles are inclined in the circumferential direction in the forward direction of rotation, and that the nozzles have a substantially uniform spray. Petsch discloses that the nozzles are not both inclined in the circumferential direction in the forward direction of rotation, and that the unbalanced spray of the two nozzles provides the motive force for the rotation of the nozzle head. For example, in Col. 5, lines 4-28, Petsch discloses that the nozzle 82 is inclined such that nozzle 82 imports a retarding tangential force to nozzle 81. Thus, it is the non-uniform spray from nozzles 81 and 82 that causes the rotation of the nozzle head. Because the principle of operation of the disclosure in Petsch requires non-uniform spray from the nozzles, and the nozzles are not all in the circumferential direction in the forward direction of rotation, the references even when combined do not teach each of the recited limitations of the independent claims.

Reconsideration and allowance of Claims 1 and 8 are respectfully requested. The remaining claims ultimately depend from Claims 1 and 8 and are therefore in condition for allowance by virtue of dependency alone and without addressing the additional patentable elements thereof.

Applicant respectfully submits that Claims 1-18 as amended are in condition for allowance. Accordingly, an early and favorable reconsideration of this application is respectfully requested.

The Office is requested and authorized to charge any fee associated with this application to Deposit Account No. 04-1679 to Duane Morris LLP.

Respectfully submitted,



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